

R E M A R K S

Reconsideration of this application, as amended herein and as amended in the Amendment under 37 CFR 1.116 filed December 19, 2003, is respectfully requested.

THE CLAIMS

Claims 2-7, 15 and 16 have been canceled, and claims 17-23 have been added. In addition, claims 8, 10 and 14 have been amended to depend from new claim 17.

As shown in Figs. 1-6 and as described in the specification at page 7, line 17 to page 16, line 22, according to the present invention as recited in new independent claim 17 a microscope apparatus is provided which comprises:

a revolver (60) that holds an objective lens (50);

a first holder (20) including an attaching portion (20g) which allows the revolver to be attached to a lower surface thereof, and a first support (20d) that supports on an upper surface thereof a first light illuminator (40) to which an observation tube (80) is attachable, the attaching portion (20g) and the first support (20d) being disposed on a first observation optical axis (L) passing through the objective lens (50) held by the revolver (60) to be attached to the attaching portion (20g);

a second holder (21) including a second support (21a-21c) that supports a second light illuminator which allows the

revolver (60) to be attached thereto, the second support (21a-21c) being disposed outside a second observation axis (L) passing through the objective lens (50) held by the revolver (60);

a focusing main body (10) including a focusing movable portion (11) that is linearly and vertically movable;

a plurality of holder positioning portions (20c - see also the disclosure in the specification at page 15, lines 2-4) formed on respective attaching surfaces (20a - see also the disclosure in the specification at page 15, lines 2-4) of the first holder (20) and the second holder (21) to assemble one of (i) the first holder (20) and (ii) the second holder (21) with the focusing main body (10); and

a focusing movable portion positioning portion (11c) formed on an attaching surface of the focusing movable portion (11) to assemble the one of (i) the first holder (20) and (ii) the second holder (21) with the focusing main body (10);

wherein when the one the first holder (20) and the second holder (21) is assembled to the focusing main body, the one of the first holder (20) and the second holder (21) is positioned to the focusing main body (10) by the focusing movable portion positioning portion (11c) of the focusing main body (10) and the holder positioning portion (20c) of said one of the first holder (20) and the second holder (21).

According to the present invention as recited in new claim 18, the first support (20d) of the first holder (20) comprises a round dovetail (20g), and supports the first light illuminator (40) with the round dovetail (20g). (See the disclosure in the specification at page 12, lines 10-19.)

According to the present invention as recited in new claim 19, the second support (21a-21c) of the second holder (21) comprises bolts (23), and supports the second light illuminator (41) with the bolts (23). (See the disclosure in the specification at page 14, lines 19-26.)

According to the present invention as recited in new claim 20, the holder positioning portions (20c) comprise convexities having wall surfaces (20c1, 20c2) perpendicular to the attaching surfaces (20a) of the first and second holders (20, 21), and the focusing movable portion positioning portion (11c) comprises a concavity having wall surfaces (11c1, 11c2) perpendicular to the attaching surface (11a) of the focusing movable portion (11). (See the disclosure in the specification at page 11, line 19 to page 12, line 1, and see the disclosure in the specification at page 14, line 27 to page 15, line 4, whereby the attaching method of the second holder 21 to the focusing main body 10 is the same as the method of attaching the first holder 20 to the focusing main body 10.)

According to the present invention as recited in new claim 21, the holder positioning portions comprise concavities having wall surfaces perpendicular to the attaching surfaces (21a) of the first and second holders (20, 21), and the focusing movable portion positioning portion comprises a convexity having wall surfaces perpendicular to the attaching surface of the focusing movable portion. (See the disclosure in the specification at page 12, lines 2-9, and see the disclosure in the specification at page 14, line 27 to page 15, line 4, whereby the attaching method of the second holder 21 to the focusing main body 10 is the same as the method of attaching the first holder 20 to the focusing main body 10.)

According to the present invention as recited in new claim 22, an elastic member (30) is provided between the focusing main body (10) and the one of the first holder (20) and the second holder (21) assembled to the focusing main body (10), the elastic member (30) being selectively adjustable in elastic force in accordance with a load applied to said one of the first holder (20) and the second holder (21). (See the disclosure in the specification at page 18, line 19 to page 20, line 8.)

And according to the present invention as recited in new claim 23, the elastic member comprises a spring (32).

It is respectfully submitted that no new matter has been added, and that (as demonstrated above) the claims are fully supported by the disclosure in the specification and drawings. Accordingly, it is respectfully requested that new claims 17-22 be approved and entered, and that the objection to the drawings and the rejection under 35 USC 112, first paragraph, be withdrawn.

It is respectfully requested, moreover, that withdrawn non-elected claims 8 and 9, as well as dependent claims 10-12 and 14, also be considered and allowed based on their dependence from generic new claim 17.

* * * * *

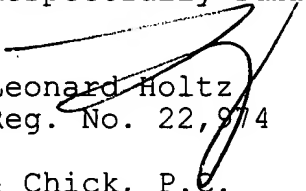
In view of the foregoing, entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

Application No. 09/901,548
Amendment Filed Concurrently with RCE

Customer No. 01933

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,


Leonard Holtz
Reg. No. 22,974

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2023
Tel. No. (212) 319-4900
Fax No. (212) 319-5101
DH:ia/iv
encs.